

REMARKS

The Office Action sets forth a restriction requirement under 35 USC §121. Applicant was requested to elect one of three designated groups as noted below:

I. Claims 1-7, 19-20 and 43-54, drawn to forms of a polypeptide comprising SEQ ID NO:2 or fragments thereof, fusion proteins and complexes comprising said polypeptides, classified in class 530, subclasses 350 and 387.3.

II. Claims 8-15 and 21-42, drawn to a polynucleotide sequence encoding forms of a polypeptide comprising SEQ ID NO:2 or fragments thereof, fusion proteins and complexes comprising said polypeptides; DNA constructs, vectors, host cells, and methods of producing these polypeptides, classified in class 536, subclass 23.5, and Class 435, subclasses 69.1, 455, 252.3, and 320.1.

III. Claims 16-17 and 55-58, drawn to form of an antibody to a polypeptide comprising SEQ ID NO:2, fragments of SEQ ID NO:2 or complexes comprising said polypeptides and methods of producing these antibodies; classified in class 530, subclass 387.1, and class 435, subclass 41.

IV. Claim 18, drawn to an anti-idiotypic antibody, classified in class 350, subclass 387.2.

V. Claims 59-63, drawn to a method of inhibiting IL-TIF induced cellular proliferation or suppressing inflammation using a composition comprising a soluble form of the polypeptide of SEQ ID NO:2, classified in class 424, subclass 184.1.

VI. Claims 64 and 66, drawn to a method of detecting a genetic abnormality or cancer using a polynucleotide derived from SEQ ID NO:1, classified in class 435, subclass 6.

VII. Claim 65, drawn to a method of detecting a cancer using an antibody to SEQ ID NO:2 of a fragment thereof, classified in class 435, subclass 7.1.

In response to the Requirement for Restriction Election, Applicant elects Group I Claims 1-7, 19-20 and 43-54, drawn to isolated polypeptides without traverse. Claims 8-18, 21-

42, and 54-66 are withdrawn from the case; however, Applicant reserves the right to pursue and prosecute these claims in divisional and continuing applications.

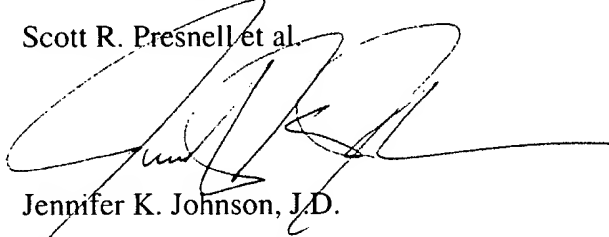
Regarding the election of species, Applicant has been requested to initially select a single disclosed species. In particular, Applicant is requested to specify a specific form of the receptor complex (homodimeric, heterodimeric, or multimeric). In regards to claims 44-54, Applicant elects the species of homodimeric receptor complexes. As not all claims within Group I claims elected (claims 1-7, 19-20 and 43-54) involve receptor complexes, Applicant is requesting clarification by the examiner regarding the species election. Applicant has interpreted the Office Action of March 13, 2002 to mean that the species election only pertains to those claims within Group I (claims 1-7, 19-20 and 43-54) that involve receptor complexes, i.e., claims 44-54; and that the species election does not apply to claims 1-7, 19-20, which Applicant understands would be examined along with the claims to homodimeric receptor complexes to which species was elected.

The instant claims that comprise homodimeric receptor complexes comprising SEQ ID NO:2 include claims 44-54. Moreover, Applicant believes that all Group I claims 1-7, 19-20 and 43-54, should be examined along with those to which the species election was required, since it would not be unduly burdensome for the Office to do so.

Early reconsideration and allowance of the pending claims is respectfully requested. If the Patent Examiner believes that a telephone interview would expedite prosecution of this patent application, please call the undersigned at (206) 442-6676.

Respectfully Submitted,

Scott R. Presnell et al.

A handwritten signature in black ink, appearing to read 'Jennifer K. Johnson', written over the printed name.

Jennifer K. Johnson, J.D.

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Enclosures:

Response to Restriction Requirement

Amendment Fee Transmittal (in duplicate)

Preliminary Amendment

Postcard